



AF
ZFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **A. DAVID
ERPELDING**

Serial No.: **09/939,074**

Filed: **24 AUGUST 2001**

For: **BALANCED AND DAMPED
SUSPENSION FOR USE IN A DISK
DRIVE**

§ Attorney Docket No.: **SJO920010018US1**
§
§
§ Examiner: **MARK S. BLOUIN**
§
§ Confirmation No.: **4237**
§
§ Art Unit: **2653**
§
§

NOTICE OF APPEAL

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

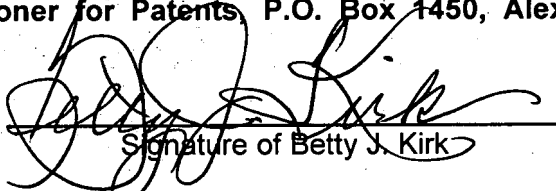
Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences the Examiner's final rejection of Claims 1-12 as noted in the Final Office Action mailed on August 23, 2005.

CERTIFICATE OF MAILING
37 CFR 1.8(A)

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service as First Class Mail in an envelope addressed to **Mail Stop Appeal Brief – Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

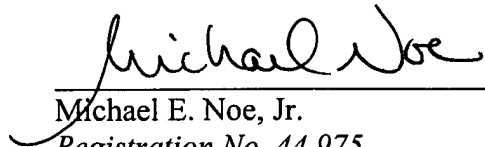
October 13, 2005
Date


Signature of Betty J. Kirk

10/16/2005 TBESHAH1 00000042 502567 09939074
01 FC:1401 500.00 DA

Please charge the fee of **\$500.00** for filing this Notice of Appeal to **Hitachi Global Storage Technologies' Deposit Account No. 50-2587**. No extension of time is believed to be necessary. However, in the event an extension of time is required, that extension of time is hereby requested. Please charge any fee associated with an extension of time as well as any other fee necessary to further the prosecution of this application to **Hitachi Global Storage Technologies' Deposit Account No. 50-2587**.

Respectfully submitted,



Michael E. Noe, Jr.
Registration No. 44,975
BRACEWELL & GIULIANI LLP
P.O. Box 61389
Houston, Texas 77208-1389
(512) 472-7800
ATTORNEY FOR APPELLANTS